

## REMARKS

The specification has been amended to remove the Examiner's Objections.

Claims 69-82, 91-93 are pending in this application. The Allowance of Claims 69-82 has been withdrawn and Claims 69-82 currently stand rejected.

The Office Action has rejected Claims 70-74 and 79-81 as being anticipated by Forti et al. ("Forti"). The Applicant submits that all the features of Independent Claim 79 have not been permissively shown and furthermore are not disclosed by Forti.

Claim 79 recites *inter alia* :

"wherein said polarization plate includes a first tapered portion to thereby create a first transition region between said first passage and said slot."

The Office Action states regarding this feature that "the polarization plate includes a first tapered portion (e.g., the surface defined by "CAi" to "CAn" in Fig. 9 or that in Fig. 5 in the respective plates/flanges)".

The Office Action is disingenuous in reading "CAi" to "CAn" as defining a tapered portion. "CAi" are the cavities 1 to n, and Figures 9 and 5 are cross sectional views cut by a plane which includes the longitudinal axis. Each of the cavities define the same cross sectional form perpendicular to the longitudinal axis and are rotated about that axis. Thus the cross section in Figures 5 and 9 reflect not a taper but rather the rotation of the cavities.

This case is further evidenced by the common meaning of tapered: Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc. defines "taper" as 1 a convex shape that narrows toward a point, 2: the property possessed by a shape that

narrows toward a point (as a wedge or cone).

Other commonly accepted definitions include: To become gradually narrower or thinner toward one end;

To diminish or lessen gradually. Often used with off: The storm finally tapered off;

To make thinner or narrower at one end;

To make smaller gradually; and,

Gradually decreasing in size toward a point.

The polarization plate of Forti and the cavities CAi and CAn which define the slot do not gradually narrow, are not made thinner or narrower at one end, are not made smaller gradually and do not gradually decrease in size towards a point. Figures 5 and 9 cannot with any stretch of the imagination be used to disclose a tapered portion as claimed.

The rejection of Claim 79 as being anticipated by Forti **cannot stand**.

Likewise the rejection of Claims 69-77 and 80-82 cannot stand as they depend from Claim 79. Furthermore, the addition of Zeleski in regards to Claims 75-78 does not obviate the deficiencies of Forti with respect to Claim 79.

The Applicant has added new Claims 91-93, which depend from Claim 79, they likewise are allowable over Forti without recourse to the additional features recited therein.

## CONCLUSION

Forti does not disclose a tapered portion as claimed. No permissible reading of Forti can disclose a tapered portion in view of the specification and the common meaning of "tapered". Therefore, Forti cannot anticipate Claim 79. Thus, the Applicant request withdrawal of the rejections based on Forti and allowance of the Application, including Claims 69-82, 91-93.

Respectfully submitted,



---

Mark C. Comtois	Reg. No. 46,285
L. Lawton Rogers, III	Reg. No. 24,302
D. Joseph English	Reg. No. 42,514
Patrick D. McPherson	Reg. No. 46,255

DUANE MORRIS LLP  
1667 K Street, N.W., Suite 700  
Washington, DC 20006  
Telephone: (202) 776-7800  
Telecopier: (202) 776-7801

Dated: June 21, 2004